

A division of opinion having arisen among the friends of the administration in reference to the remedy recommended in the Message, for the monetary disorder which pervades the country; and the opposition having manifested a determination to dispute any measure of relief, save only an oligarchical institution on the principles of the late Bank of the United States, it becomes the patriotic statesman to discuss the subject dispassionately, with the view to sustain the practicability of constructing a system which may suffice to remove existing embarrassments, and avoid the recurrence of similar evils.

Impressed with the magnitude of the matter, a humble individual will approach it with deference, and attempt to analyze an alternative proposal submitted by a citizen of Maryland, and printed as Document No. 6, of each branch of the National Legislature, which contemplates the creation and distribution of an adequate and ample circulating medium in connection with the custody, transmission and disbursement of the revenue in obedience to the following *lumata*.

1. That the system of this Republic embraces not only the constitution and laws of the Union, but the institutions of the component States, and that the people are paramount to all.

2. That the sure keeping of the public treasures imparts a beneficial privilege.

3. That the credit of its circulation is a national capital of great value.

4. That the benefits of each and every other prerogative, whether positive or incidental, properly belong to the people, and that they cannot be ceded to a part, without derogating from the rights of the whole.

The submitter also assumes that money is the blood of a nation—the spring of its industry—the generator of its enterprise—and that “its regulation having been exclusively vested in Congress,” the exercise of the necessary power, “to the end that its functions may be equally executed for the general good,” is imperatively required in the present crisis.

The proposition is certainly founded on principles substantial in their nature, and entirely consistent with the genius of the government, as it proposes to diffuse the benefits of a valuable attribute of sovereignty to the whole people, and not for the benefit of a favored few, or privileged order.

The writer is aware, that apprehensions have been entertained and expressed publicly that, the States could not surmount the opposition of private banking corporations—and that an attempt to carry into effect a general system would, consequently, be defeated—but is not the occurrence of such an apprehension of itself enough to invite the encounter, in order that it be ascertained whether the sovereignty exists in the creator, or in the creature corporations?

It appears by the plan, that the assent of any five of the States will suffice to commence the system—and it scarcely could be doubtful that a large number, (already provided with adapted institutions) would promptly accede; and that the action of less favorable regulations, necessarily pre-existing, would conduce to the successive accession of others, until the entire union would embrace the equitable and efficient measure in contemplation. The prevailing principles of policy and interest are sufficient to warrant the liberal distribution of the “NATIONAL CURRENCY,” and the benefit of the collection and disbursement of the public moneys, operating as inducements on the one hand, whilst the justifiable withholding of that boon, and those benefits, as well as the enfeebling drains of abstraction by drafts to the public creditors or those continuing under the control of private corporations, in preference to redeeming the available means of the conforming States, acting adversely on the other hand, would simultaneously accelerate the establishment of a financial confederation in harmonious accord with our political system, and the just rights of all interests and classes of our wide spread population.

The proposition in brief, is intended to establish the monetary system, and to regulate the currency of the United States according to the following basis and principles, to wit:

1. Five commissioners, to be appointed by the President and Senate, to act, in conjunction with other commissioners to be appointed by the States, in a board, to sit at the seat of the General Government.

2. The board to devise and prepare a national currency, in convenient denominations, from twenty thousand dollars, to be apportioned among the States in the ratio of their electoral votes, not exceeding one hundred thousand dollars for every Senator and Representative in Congress.

3. Each of the States assenting to the system to receive its contingent of the currency upon the payment of one per centum on the amount required, and contracting to pay in like manner annually thereafter, and providing not less than one-fourth of that amount in the legal coin of the United States as a basis of its operations.

4. Each of the assenting States to appoint one commissioner to the board, and one in addition for every ten of its electoral votes; deducting the number which may have been appointed from such State as a basis of its operations.

5. The principal institution of each of the States to have the custody, and provide for the transmission and disbursement of the public moneys, and for exchanges between the States, under such conditions and regulations as the Congress may prescribe.

6. The national currency to be made receivable in all payments to the United States, at each and every of the institutions, and at all their branches or departments, without regard to its place of emission or redemption.

7. The board to have and exercise a visitatorial and supervisory control over the institutions of the States in all their ramifications; each to be visited and inspected, by deputation, once in every six months at the least.

8. The assenting States to be severally and distinctly responsible for their contingents of the currency, and for their respective institutions.

9. The commissioners to receive an adequate compensation for their services, and fair allowances for itinerant charges; to appoint and pay their secretary, and other necessary officers and servants; to take security for their good conduct and the due discharge of their proper duties.

10. The secretary to receive the per centage, to be paid by the States, to make all needful disbursements, under the direction of the board; and to account to Congress for any balance which may remain.

11. The proceedings of the board to be open to the inspection of Congress, or to any committee thereof; and the right to modify or repeal the act to be reserved, subject to the fulfillment of existing engagements.

12. The board to consider all subjects connected with the currency, in relation to the interests of agriculture, manufactures, and commerce, charged upon it, and report thereon to Congress from time to time.

# THE MADISONIAN.

VOL. I.

WASHINGTON CITY, TUESDAY, OCTOBER 10, 1837.

NO. 21.

## ILLUSTRATION.

States.	Proportion of national currency.	Coin.
Maine - - - - -	\$1,000,000	\$250,000
New Hampshire - - -	700,000	175,000
Massachusetts - - -	1,400,000	350,000
Rhode Island - - -	400,000	100,000
Connecticut - - -	800,000	200,000
Vermont - - - - -	700,000	175,000
New York - - - - -	4,300,000	1,075,000
New Jersey - - - -	800,000	200,000
Pennsylvania - - -	3,000,000	750,000
Delaware - - - - -	300,000	75,000
Maryland - - - - -	1,000,000	250,000
Virginia - - - - -	2,300,000	575,000
North Carolina - - -	1,500,000	375,000
South Carolina - - -	1,100,000	275,000
Georgia - - - - -	1,100,000	275,000
Kentucky - - - - -	1,500,000	375,000
Tennessee - - - -	1,500,000	375,000
Ohio - - - - -	2,100,000	525,000
Louisiana - - - - -	500,000	125,000
Mississippi - - - -	900,000	225,000
Illinois - - - - -	400,000	100,000
Alabama - - - - -	500,000	125,000
Missouri - - - - -	700,000	175,000
Michigan - - - - -	400,000	100,000
Arkansas - - - - -	300,000	75,000
	29,400,000	7,350,000

To further elucidate the matter, the writer will submit some brief remarks, in numerical order, with reference to the several points of the proposition:

1. The commissioners, as contemplated, would constitute a financial congress of infinite value; emanating chiefly from the States, they could not be wielded by any department of the Government to advance the views of any party. From such an influence they would, indeed, be free, by the tenure of their office, the nature of their operations, their guarded powers, and prescribed duties, as provided in the organic laws to be presented hereafter.

2. It is to be understood that the national currency is not intended for the common purposes of money, but as an auxiliary to the specie basis, and mainly to supply the facilities of commerce, and interchanges in large transactions, in aid of the issues of the public institutions of the several States. And, although the limit for the entire Union is apparently too much contracted, the amount authorized to be issued is greater than the greatest circulation of the late Bank of the United States; and if it should be found insufficient, the demand might be supplied by a further emission of the currency for general circulation.

3. The required payment of one per centum by the States is intended only to cover charges; as the currency, being merely a measure of value, could not justly be made a subject of federal revenue. With equal justice might the States be taxed for scales and weights, or quarts and gallons, or other measures of length or capacity. And even that per centage might be reduced, by one-half, after the first year. The requisition of one-fourth in coin is esteemed sufficient; but, being the minimum, if found insufficient, the States would, necessarily, increase it to sustain their respective institutions.

4. The smallest State would be entitled to a representative, and the largest to five, subject to the restrictions of the law. And, although the board might appear too numerous, that objection would disappear when it should be considered that a large portion of its members would be employed in visiting and inspecting the institutions, whilst others would be engaged in considering the subjects referred to them by either branch of Congress, besides their regular or ordinary duties.

5. The custody of the federal treasures could not certainly be more safely placed than under the guarantees of the States in their appropriate institutions. And the benefits to arise from the deposits could not be more justly disposed of than by such distribution to the whole people. The transmissions and disbursements could be surely effected, under the direction of the board of currency, by the public institutions of the States, as well as by private corporations or individual officers. The practicability of the operation is proved, in advance, by the ease and safety of our revenue system, in contrast with the frequent embarrassments of such corporations.

6. The national currency would be receivable in all the States, as were the notes of the late Bank of the United States.

7. The mode of exercising a visitatorial and supervisory control over the institutions of the States, and their respective branches or departments—so eminently calculated to inspire confidence, and insure a compliance with the required conditions, uniformity of proceeding, and the most beneficial action—is fully and distinctly detailed in the bill.

8. Besides their responsibility for the custody, transmission, and disbursement of the public moneys, the States are required to respond, in their sovereign characters, for the currency, and for its redemption, on demand, in gold or silver, under conventional arrangements and sufficient guaranties.

9. The expenses of the board would be, in truth, but a small advance for a great benefit, and might justly be regarded in the light of seed sown for a rich harvest. The commissioners would properly appoint their necessary officers, and take sufficient security for their good conduct.

10. The secretary would receive the contributions, and, after defraying the expenses, under the direction of the board, would account to Congress for any surplus, which would be considered in the subsequent graduations of the necessary per centage.

11. The board, being entirely a public department, would be open to the inspection of any committee or officer of Congress, and subject to any alteration or modification which experience might suggest.

12. Over and above the regular duties of the board, in the character of a financial Congress, it would be peculiarly qualified to investigate the great interests of agriculture, manufactures and commerce in their various relations, as connected with the main object of its creation; and to report thereon, from time to time, as might be required by either branch of the National Legislature.

From the foregoing, it will be seen that a connection of institutions belonging to the States exclusively, or to such as they would be responsible for, is contemplated; and it is not to be supposed that such responsibility would be assumed without an entire or principal interest in the capital, and an actual control in the management.

It appears that the highly beneficial principle of assuming the sovereign right of banking, has been adopted and improved in several of the States, and, with the progressive developments of its benefits, the more has it gained upon the public favor; its most potent enemy is that which has grown out of an excess of grants to private corporations for such purposes. But if the regulation of the currency is to be regarded as a public right; if the good of the whole is to be preferred to the special interests of a favored few; and if there be enough of intelligence among the people to understand the proposition, and to appreciate its merits, (which cannot be doubted,) we may well anticipate the eventual establishment of a national currency, under the agency of a connected system of institutions belonging solely to the States.

The doctrine of the great father of democracy is peculiarly apposite and interesting at the present crisis, as it presents a practicable succedaneum, through the medium of a measure of value, which, by its solidity, universality of circulation, and receivability in all public payments, would make its way, and supplant the paper of private banks or corporations of individuals. These are the views of JEFFERSON; and although the Congress may not be authorized to establish a paper currency as an absolute tender in private contracts, yet the influence they may exercise in securing its soundness, through the collections of the revenue, has been admitted by the purest patriots and most enlightened statesmen of this Republic, in various departments of the Government.

In the early annals of the constitution, the power was affirmed by Gen. Hamilton, in his public character, “to designate or appoint the money or thing in which the taxes are to be paid,” as being “not only a proper, but a necessary exercise of the power of collecting them;” accordingly, Congress, in the law concerning the collection of the duties on imports and tonnage, have provided “that they shall be payable in silver or gold. But while it was an indispensable part of the work to say in what they should be paid, the choice of the specific thing was a mere matter of discretion. The payment might have been required in the commodities themselves; taxes in kind are not without precedent, even in the United States; or they might have been in the paper money of the several States, or of the bills of the Banks of North America, N. York, or Massachusetts, all or each of them; or it might have been in bills issued under the authority of the UNITED STATES. No part of this, it is presumed, can be disputed. The appointment of the money or thing in which the taxes are to be paid, is an incident to the power of collection; and, among the expedients which may be adopted, is that of bills issued under the authority of the United States.” These are the views of HAMILTON; and this contemporaneous commentary has received the sanction of succeeding ages, in the practical employment of the Treasury notes as a medium of exchange and circulation.

It therefore appears that a paper currency is not inhibited by the constitution; and that such a currency may be created by the General Government, and distributed among the States, under proper guards and regulations to insure its credit and convertibility into gold or silver, and to promote, inculcating, the common welfare, is equally evident; as the productive principles of a high and valuable prerogative would thereby be diffused, by its operations, to the whole people, and not confined to the benefit or profit of a special few. The plan, indeed, is esteemed sufficient for all the beneficial purposes in contemplation, without the evils of a soulless combination of corporations; it is, in effect, a National Bank of exchange and deposit, without the privileges of issuing notes or loaning money as regards the General Government, in connection with an equitable and secure system for the receipt and distribution of the federal revenue—commensurate, in fact, with the wealth and credit of the several States, embracing the entire property and population of the whole Union. To each and every of the States it would impart a rich resource in public income, and diffuse the means of propelling industry and enterprise, and, by accelerating improvements throughout the country, promote the amelioration of every interest and class of society; and while such a system would essentially enlarge the specie basis, and adopt the local circulation to the common uses and demands of ordinary business, the national currency would supply the facilities of interchanges in large transactions, on terms convenient and economical.

In reference to the pending question, the great object of desire is a medium of uniform and equal value throughout the Union; to accomplish which, it is proposed that a currency shall be created by the United States upon the faith and credit of the whole nation, guaranteed by the States, receivable everywhere in all public payments, and convertible into silver or gold on presentation at each and every of the institutions of the States. If a better medium can be devised, it remains to be demonstrated.

For the more ample illustration and better understanding of the matter, some additional views in relation to the expediency and justice of the proposition, and in support of the practical effects anticipated to flow from the operations of the interesting measures in contemplation, will be submitted.

By the federal compact, the entire revenue from duties on imports is ceded to the General Government exclusively; and the States are consequently reduced to the necessity of resorting to direct taxation, or to incidental sources; for defraying the expenses of their administrations. The receipt of income to the national Treasury from the mere circulating medium, does not appear to have entered into the consideration of the framers of that compact; and the benefits derivable from the resource in question, may be justly regarded as a reservation of the whole people, to be enjoyed in their respective States.

From documentary information, and estimates entitled to credit, it may be fairly inferred that the amount of contributions extorted from the people for the use of a public right, and eventually drawn from the land and labor of the country, has exceeded annually the average avails of the duties on imports for the last three fiscal years.

In a critical examination of this topic, it would seem that, if such a course of contribution is to be tolerated, the resulting revenue ought to enure to the common benefit, and not to enrich a privileged order of corporations; and the more especially, as the resources of the States, with the aid of the national currency and the capital imparted by the public deposits, would abundantly sustain the proposed system, under judicious regulations properly administered.

It is not to be presumed, nor even supposed, that the plan presented could be carried immediately into full effect throughout the Union, as the existence of charters conferring vested rights, might operate to impede, or virtually preclude, its useful action in some of the States for years to come. But many members of the confederation are unincumbered by such grants, and all, in time, might be relieved, by their expiration, or otherwise.

The full enjoyment of this prerogative being susceptible of producing avails of vast extent, would not only enable the several States to perfect their lines of intercommunication already in progress or in prospect, as well as to promote improvements in literature, and other desirable ameliorations, but tend incalculably to increase productions in every interest, and, by augmenting exportable commodities, to supply and nourish exterior commerce, and essentially enhance the means of comfort among the people.

With reference to the private corporations in which the public moneys have been deposited, they are not calculated, by the nature of their organization, nor the course of their administration, to inspire confidence as depositories of the national treasures. Neither are they to be viewed as the most eligible vehicles of distribution, nor as the most competent regulators of monetary interchanges in remote regions, having, as they have, different interests and variant points of policy. Among the many objections to which those corporations are obnoxious in the public estimation, some are similar to such as existed in the late Bank of the United States. And, although less eminently calculated to attract rival investments, and to generate foreign influences, or to combine a concentration of power in the possession of a few, or a single individual, dangerous to the peace and prosperity of the country, or to the vital principles of the Government, yet, composing, as they do, a distinct community, withordinate power to act in private, and having privileges superior to the common mass of our population—constituting, in fact, an order which consumes the fruits of the common labor, without contributing to its production in due degree—they may well be viewed as hostile to the spirit of a free republic; and the paper of such, (emitted by irresponsible corporations, acting in conclave, with a sole regard to private benefits,) from apprehensions of its solidity arising from the frequency of their failures, or depreciation, could not maintain that uniform and equal value which would sustain the issues of a board based upon the wealth and credit of the whole nation, guaranteed by the States, receivable in all public payments, and immediately convertible into gold or silver.

FOR THE MADISONIAN.

## TREASURY NOTES.

NO. VII.

The noble principle on which you have acted in admitting my fifth letter to your columns, cannot fail with a free press to redound to your advantage. A free press is the strongest fortress of a free government. Let the motto between us be, “AMICITIA ET VERITAS”—Friendship and truth.

I have assailed the Treasury notes in two aspects, to wit: As being intended to pass in payment of debts, and thus form a circulating medium; and as being intended to raise money on, by being loaned for gold and silver. I would offer an idea or two more on each point.

1. If the Treasury notes are to be used as so much money “in paying the debts of the United States,” and to pass from debtor to creditor in the extinguishment of debts, it is evident they must be possessed of the essential attributes, and are designed to answer the purposes of bank paper, forming a circulating medium. To create them, with this view and in this sense, is clearly to violate the constitution, unless the granted power “to coin money,” means or was intended to confer a power to make paper money. That it was not so intended is evident in the facts that the framers of the constitution used the words by which they expressed their ideas, in the ordinary sense; and that the sense in which the word “coin” is ordinarily used, is “to stamp a metal and convert it into money; to mint.” Then, to make paper promises to pay, intended to pass in payment of debts, is a substantive act, separate and distinct from the granted power to coin money. The power “to coin money,” is the only delegated power on the subject of making money; and all “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” It follows that the making of paper to pass in paying debts, as money, is to do that which the power is not expressly granted to do. For the Congress to do that which the power is not expressly granted to do, can only be justified on the ground that the exercised power in this case, of making such paper promises to pay, is a power necessary for carrying into execution some expressly granted power. Before it can be successfully maintained that an issue of Treasury notes made to pass in payment of debts, is necessary to carry into effect any one of the expressly granted powers, the powers which are granted and uncontested, “to lay and collect taxes, to borrow money on the credit of the United States,” and “to coin money,” must first be tried; for, surely, no power can be fairly claimed to be properly incidental, until the particularly enumerated powers have been put in requisition of a full action, and have been found to be insufficient. Neither the power of laying and collecting taxes, nor that of borrowing money, has been tried in this emergency; and yet the power of making paper promises to pay, intended to pass in payment of debts, is claimed to be fairly incidental, and “necessary” to the successful conducting of the finances!

(The still contested exercises of this power to make paper money, and the untoward multiplication of the appellatives of paper money, have already done mischief enough. I would resist its exercise in this, at best, questionable shape, more strenuously than that of any other doubtful power. Let the country take warning from the words of the great head of the ancient family of Federalists—from words recently cited by Mr. Benton, undisputed by them, in a speech in favor of the issue of Treasury notes!!! From these words of Gen. Hamilton, to wit: “The stamping of paper, (by Government,) is an operation so much easier than the laying of taxes, or of borrowing money, that a Government in the habit of paper emissions, would rarely fail, in any emergency, to indulge itself too far in the employment of that resource, to avoid as much as possible, one less auspicious to present popularity.” From these words of wisdom, let the country take warning.)

2. But it is contended that the proposed issue of Treasury notes is nothing more than a borrowing of money; or, in the language of the advocates of the measure, “the notes are to be loaned for money, to wit: for gold and silver.” In this aspect of the issue of Treasury notes, it being taken to be true, that they are not to form a circulating medium by passing in payment of debts; I would ask, why does not the general Government boldly and openly take the attitude of a borrower, directing the Secretary of the Treasury to negotiate a loan, and having effected it, to execute writings obligatory for the return of it to those who having the ability and willingness, shall lend it? This would be borrowing, well understood.

Further: Taking it to be true that these notes are to be loaned for gold and silver, and not to be used “as currency,” in the payment of debts, what will be the effect of the emission of them, on the anticipated resumption of specie payments by the suspended State Banks? It is clear to my mind, that to raise gold and silver on these notes, at best, “a disguised mode of borrowing,” will be to abstract so much from the ordinary channels of trade, from which the banks have the best chance of drawing it to augment their specie fund, with preparatory to a safe resumption of specie payments; and to appropriate it to the uses of the Government, from which, if it be allowed at all to visit and replenish the vaults of the banks, it will only be allowed to do so, in this the hour of their greatest need, in the tantalizing shape of a special deposit.

If I am wrong in this, I ask for light. I would do nothing to retard a stable resumption of specie payments. So far from it, as far as the unbroken reins of the constitution would let me go, I would go to any length to aid in hastening its advent.

PUBLIS.

DEFENCE OF GENERAL JOHN E. WOOL.  
Against the accusations of his Excellency C. C. Clay, Governor of Alabama, as enquired into by the Court of Enquiry, of which Major General Scott was President.

MR. PRESIDENT:

It was very far from my expectation when I took leave of my command on the 1st of July last, in obedience to instructions from the War Department, that I should so soon again be compelled to revisit this country, particularly under the circumstances which I now appear before you. I frankly confess that when I took my departure I was flattered with the pleasing reflection that I carried with me the approbation and kind wishes of all the Tennesseans, the Georgians, the North Carolinians, and the Alabamians. It appears, however, that I was mistaken, and the pleasing illusion which I had so fondly cherished, was soon and rudely to be dispelled. For, on my arrival at Washington, I learned from the Secretary of War that I had been charged by the Executive of Alabama with usurping the powers of the civil tribunals of the State, disturbing the peace of the community, and trampling upon the rights of its citizens; and that a Court had been instituted to enquire into the circumstances, and report the facts to the War Department. My surprise was great, for of all that could be alleged against me during the period I commanded in the Cherokee nation, the charges preferred against me were the most foreign to my feelings and intentions, and which every measure adopted with reference to the Cherokees and the white inhabitants, will clearly prove. I did not go to that country, as you are well aware, to oppress or oppressively to oppress, but to protect the laws of my country, and to maintain the peace and order of the community, and to protect the rights of its citizens; and that a Court had been instituted to enquire into the circumstances, and report the facts to the War Department. My surprise was great, for of all that could be alleged against me during the period I commanded in the Cherokee nation, the charges preferred against me were the most foreign to my feelings and intentions, and which every measure adopted with reference to the Cherokees and the white inhabitants, will clearly prove. 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